

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANDREW MACCORMACK,
Plaintiff,

v.

WELLPATH CORRECT CARE
SOLUTION, LLC, et al.,
Defendants.

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) **CIVIL ACTION**
) **No. 24-11140-IT**
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ORDER

On April 30, 2024, the court allowed Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. No. 2]. See Order [Doc. No. 4]. Because Plaintiff is proceeding *in forma pauperis*, he was advised that he may elect to have service completed by the United States Marshals Service ("USMS"). Id. On May 1, 2024, Summons [Doc. No. 7] issued. By Electronic Order dated August 16, 2024, [Doc. No. 13] the court denied Plaintiff's Motions for Appointment of Counsel [Doc. Nos. 9, 11] and extended the time for service until September 30, 2024. By Electronic Order [Doc. No. 15] dated September 25, 2024, the court advised Plaintiff, among other things, that any request for service must be sent directly to the office of the United States Marshals Service with the paperwork for service.

Now before the court are several Letters [Doc. Nos. 17 – 19] from Plaintiff in which he indicates that he has tried to complete service by certified mail and now requests service by certified mail by USMS. Certified mail, however, is not a permitted method of service of process. Service must comply with the specific requirements outlined in Rule 4 of the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 4(e) (serving an individual); Fed. R. Civ. P. 4(h) (serving a corporation).

In light of Plaintiff's *pro se* status and efforts to complete service, the court grants Plaintiff a further extension of time to effect service and directs the Clerk to re-issue summonses for service of the Defendants. Plaintiff must take the necessary steps to ensure that the Defendants are served within 90 days of the re-issuance of summonses. Plaintiff is reminded that if he seeks to have service completed by the USMS he must provide the USMS with the necessary paperwork, which includes a copy of this order, a copy of the Complaint [Doc. No. 1], and a completed USM-285 form for each party to be served. Failure to complete service in a timely fashion may result in dismissal of this action without prior notice to Plaintiff. *See* Fed. R. Civ. P. 4(m); Local Rule 4.1 (D. Mass.).

So ordered.

December 10, 2024

/s/ Indira Talwani
UNITED STATES DISTRICT JUDGE